

Regulation EH-R

Las Cruces Public Schools

Related Entries: EH
Responsible Office: Chief of Staff

RECORDS RETENTION

I. PURPOSE

To provide guidance to schools and district personnel regarding the maintenance, retention, disposition and disclosure of Las Cruces Public Schools (LCPS) public records.

II. GUIDELINES

A. While this regulation describes the most commonly used retention periods, the following guidelines apply:

1. Access to confidential documents and/or confidential files shall be only by court order, unless provided by federal or state statutes, rules or regulations.
2. Release of confidential documents to law enforcement and other governmental agencies shall only be done in compliance with federal or state statutes, rules, regulations or upon court order.
3. All requests for disclosure or inspection of student information shall be reviewed and approved or denied by the district's Custodian of Public Records.

B. Schools are required to include accident reports, cumulative health records, daily attendance, disciplinary records, free or reduced lunch authorizations, parent/legal guardian permission to participate extracurricular activities, cumulative record folder, student data transmittal form, student permanent record card, and the teacher class record in student records.

C. The Office of Student Records is the official custodian of LCPS student records, charged with the retention and disposition of student information in accordance with New Mexico statutes and rules and this policy.

D. Records of students who have graduated or withdrawn from LCPS are transferred to the Office of Student Records in accordance with procedures outlined in Policy JOA and JOA-R, Student Records.

E. Former LCPS students and qualified parents or legal guardians of former LCPS students may receive copies of their records by submitting a records request to the Office of Student Records or the Custodian of Public Records.

- F. The Las Cruces Public Schools maintains records of the Las Cruces Public Schools Board of Education, past and current LCPS superintendents, employee records, and other administrative documents.
 - 1. For documents other than student records, the originating office is the official custodian.
 - 2. Requests for disclosure or inspection of information maintained by LCPS offices must be directed to the designated Custodian of Public Records – the LCPS Chief of Staff in the Superintendent’s Office.
 - 3. After initial distribution, a copy of each LCPS publication shall be forwarded by the originating office to the Custodian of Records for archiving.
- G. The records retention and disposition schedule identifies the types of records maintained by the Las Cruces Public Schools and specifies a period of time for which the official copy of records must be retained. A retention period may be stated in terms of months or years and is contingent upon the occurrence of a trigger event.
- H. Upon storage or disposition, public records must be classified according to content and retained at a minimum for the length of time specified in the records retention and disposition schedule.
- I. Prior to the disposition (destruction or archive) of any record, a request to destroy or archive a record must be submitted to the Chief of Staff for final approval. The Chief of Staff will file a copy of the approval for future reference. The request must include the type of record, the triggering date and cite the legal authority to destroy or archive the record. The approved form is available from the Chief of Staff.
- J. Retention Schedule

ACCIDENTS AND PROPERTY MANAGEMENT

Description	Retention Period
Administration – risk management Records related to reporting damage to government owned and operated property, including, but not limited to, claims	3 years from date file closed
General liability claims – risk management Records related to general liability claims	3 years from date file closed
Insurance Certificates and Bonds – risk management Records of insurance certificates and bonds provided to contractors, vendors, and other non-government entities	5 years from date file closed
Insurance Policies – risk management Records related to insurance of government owned and operated property and assets	10 years from date file closed
Waivers and Releases – risk management Waivers and releases of liability and related records	2 years from date file closed
Fire and Electrical Records related to inspections for fire prevention and fire protection for buildings, facilities, and structures, including, but not limited to fire reports	3 years from date file closed

Inspections Records related to general inspections and tests	5 years from date file closed
Hazardous Materials Records related to inspections and testing of hazardous materials	Permanent
Herbicides, Pesticide and Chemical Records related to inspections and testing of herbicides, pesticides, and chemicals	10 years from date file closed
Water Quality Records to the inspection and testing of drinking and potable water	10 years from date file closed
Occupational Safety and Health Records related to occupational safety and health compliance inspections and investigations	10 years from date file closed

ATHLETIC PROGRAM RECORDS

Description	Retention Period
Activities Membership	6 years after date created
Injury records, medical reports	10 years after last date of entry
Records of coaches for various school sports	Until reference value ends

AUTHORIZATION

Description	Retention Period
Administration – general management Records related to authorization of personnel or entities to perform specific duties and not identified in other classifications	10 years from date file closed

CLAIMS/BENEFITS MANAGEMENT

Description	Retention Period
Employee Services – benefits management Records related to employee benefit claims	3 years from date file closed
Records related to employee enrollment in governmental benefits plans	5 years from termination of coverage
Records related to employee benefit plans and statements	10 years from date file closed

CALENDARS AND SCHEDULES

Description	Retention Period
Administration – general management Appointments and schedules and related records	1 year from close of calendar year in which created

COMPLAINTS

Description	Retention Period
Administration – community and public relations Records related to complaints by the public relating to policies, procedures or business practices including, but not limited to, filing forms, recommendations, responses, and resolution	1 year from date file closed

CONSTRUCTION PROJECT FILES

Description	Retention Period
Administration – building, facilities & infrastructure Records related to the planning, design and construction of projects using capital funds	Permanent
Infrastructure Project Files – building, facilities & infrastructure Records related to the planning, design, and construction of specific projects including, but not limited to, facility and infrastructure projects	Permanent
Maintenance and Repair Records	3 years from the close of

Records related to the maintenance and repair of government owned and operated buildings and facilities	the fiscal year in which file closed
Maps, drawing, and plans Maps, drawings or plans of government owned assets including, but not limited to, property, facilities, buildings and infrastructure	Permanent
Administration – buildings, facilities, & infrastructure Records related to government owned buildings and facilities, including, but not limited to, capital improvements, as-built and as-constructed drawings, does not include routine maintenance and construction projects	Permanent

CORRESPONDENCE

Description	Retention Period
Executive level Administration – general management Internal and external communications and related records to or from executive level personnel including, but not limited to directives and not identified in other classifications	Permanent, transfer to archives when no longer needed for reference
General Administrative correspondence Routine correspondence and related records of day-to-day office administration and not identified in other classification	1 year from close of calendar year in which created

CURRICULUM RECORDS

Description	Retention Period
Curriculum catalogue or bulletin	Permanent
Approved curriculum variance application	10 years after approved
Approved application of occupational education curriculum	1 year after curriculum discontinued
Denied application for curriculum approval	1 year after end of school year

DENIED, REJECTED OR WITHDRAWN RECORDS

Description	Retention Period
Administration – general management Records including, but not limited to, applications, complaints, or requests which are incomplete, have no merit or have been denied, rejected, or withdrawn	2 years from date file closed

EDUCATION (VARIOUS)

Description	Retention Period
Assessments Records related to proficiency and learning assessments	5 years from date file closed
Course Development & Administration Records related to development of courses including, but not limited to, outlines and syllabi	5 years from date file closed
Enrollment Records related to student enrollment and withdrawal	2 years from date file closed
Examination and Testing Records related to examination, including but not limited to, grade results	2 years from close of calendar year in which file was created
Records related to academic, athletic, and social programs	5 years from date file created
Registration Records related to class registration	1 year from date file closed
Student Records	2 years from date file

Records related to student evaluation, discipline, assessments and attendance, does not include transcripts	closed
Transcripts Official student transcripts	Permanent
Records related to accreditation and certification of schools	5 years from date file closed
Records related to oversight and federal compliance reporting	3 years from date file closed
Textbook Inventory Listing Listing prepared annually by each school which reports current inventory of schools' instructional materials supplied by the district using state and federal funds	Until superseded by new listing

EMPLOYMENT

Description	Retention Period
Employee Screening Records related to pre-employment screening	10 years from date file closed
Labor Relations Records related to labor relations	3 years from date file closed
Adverse Action and Reduction in Force	30 years from date file closed
Drug and Alcohol Testing Records related to drug and alcohol testing of employee	5 years from date file closed
Employee Medical Records	3 years from separation of employment
Employee Medical Records – Hazardous Materials Records related to employee medical records specific to cases of hazardous material exposure	30 years from separation from employment
Employment Disclosure Records related to disclosure of secondary employment	1 year from close of calendar year in which created
Employment Eligibility Verification (I-9)	3 years from date of separation from employment
Grievances and Investigations Records related to filing of grievances and investigations related to employees	3 years from separation from employment
Leave Records	3 years from close of fiscal year in which file was created
Personnel Files – Contributing Records related to an individual employee who contributes to a retirement plan, does not include medical files	50 years from date file created
Personnel Files – Non-Contributing Records related to a temporary individual employee who does not contribute to a retirement plan. Does not include medical files	3 years from date file closed
Time and Attendance Records related to reporting and approving employee attendance	1 year from the close of the fiscal years in which file closed
Volunteer Files Records related to volunteers	3 years from date file closed
Staffing and Recruitment Records related to recruitment of employees	3 years from date file closed
Positions and Classification Records related to preparation of job descriptions and position	3 years from date file closed

classifications	
Employee Training Files Records related to employee training history	3 years after close of separation from employment
Claims – Workers’ Compensation and Unemployment Records related to workers’ compensation and unemployment	3 years from date file closed
Employer Account Files Records related to employer accounts of workers’ compensation and unemployment	4 years from close of calendar year in which file was created
Reports – Injuries Records related to reports of injuries resulting in no action or claim	2 years from date file closed

EQUIPMENT/VEHICLES FILES

Description	Retention Period
Administration – equipment and vehicle management Records related to equipment including, but not limited to, history, logs, manuals, and operating procedures, and not included in other classifications	3 years from date of disposition of equipment
Maintenance and Repair Records related to maintenance and repair of vehicles and equipment	3 years from the close of the fiscal year in which created
Vehicle Files Records related to vehicles, including but not limited to, history, logs, manuals, and operating procedures and not identified in other classifications	3 years from date of disposition of vehicle

GRANT ADMINISTRATION

Description	Retention Period
Records related to grant administration	3 years from date file closed

FINANCE

Description	Retention Period
Deductions and Garnishments from employee paychecks	3 years from the close of the fiscal years in which created
Payroll Registers	50 years from date file created
Payroll Reports	3 years from the close of the fiscal year in which created
Taxes – Payroll Records related to payroll taxes for employees, including, but not limited to, withholding, remittance, filings, and returns	10 years from close of calendar year in which created
Contributions Records related to employee contributions to retirement or pension funds	65 years from date file closed
Accounts Payable Records relating to accounts payable including, but not limited to, purchasing and reimbursements	6 years from date audit report released
Accounts Receivable Records related to accounts receivable including, but not limited to, invoicing	6 years from date audit report released
Account Transfers Records relating to transferring funds	3 years from date audit report released
Donations	3 years from date audit

Records related to donation of funds and assets to or from a government agency	report released
Journal Entries	3 years from date audit report released
Ledgers Records related to ledger management	6 years from date audit report released
Accounting Records related to accounting process and controls	1 year from date audit report released
Fixed Assets Records related to the control of fixed assets	3 years from date audit report released
Inventories Records related to the control of supplies and stock inventory	3 years from date audit report released
Surplus and Disposal Records related to disposal of surplus equipment	3 years from date audit report released
Bank Relationship Records relating to the establishment, maintenance, and termination of bank accounts	3 years from the close of the fiscal year in which file was created
Statements and Reports Records related to bank accounts and credit card statements and reconciliations	3 years from date audit report is released
Annual Budget Records related to the request, recommendation, and approved annual budget	Permanent
Reconciliations and Balancing Records related to reconciliations and balancing for financial reports and statements	3 years from date audit report released
Investments Records related to investments including, but not limited to, bonds, debt issuance and certificated of deposit	6 years from date file closed
Statements and Reports – Investments Records related to investment statements and reports	3 years from date file closed
Bids, Proposals, and Quotes	3 years from date file closed
Records related to management of vendors	3 years from date file closed
Records related to financial audits	3 years from close of fiscal year in which file created

PLANNING AND DEVELOPMENT

Description	Retention Period
Records related to planning and development	Permanent

PRESS AND NEWS RELEASES

Description	Retention Period
Records related to official press, news releases, and notices	Permanent

PROGRAM AND PROJECT FILES

Description	Retention Period
Records related to administrative programs and projects not identified in other categories	5 years from date file closed

REPORTS

Description	Retention Period
Historical Reports Historical reports including, but not limited to the following subject	Permanent

matter: vital records, natural resources emissions, professional licensure registries, disease management, student nutrition, emergency response, homeland security, infrastructure, and statutorily required reports not identified in other classification	
Statistical Reports	5 years from date file created

SAFETY, SECURITY & ACCESS

Description	Retention Period
Administration – building, facilities & infrastructure Records related to safety and security	3 years from date file closed
Access and Control – information technology Records related to security and access to information technology	3 years from date file closed
Systems and Networks – information technology Records related to development and maintenance of voice and data networks	Destroy when superseded or obsolete
Web Management – information technology Records related to management of public web sites including, but not limited to, design, graphics, formats, and links	Destroy one year from date file closed

STUDENT CUMULATIVE RECORD FILES

Description	Retention Period
Health Student health records and immunizations	10 years from date of student’s last attendance
Federal Participation in federal programs records	5 years after final expenditure reports
Other Other student records, including registration record, screening evaluation, counselor notes, correspondence, program participation	2 years after last attendance

SPECIAL EDUCATION RECORDS

Description	Retention Period
Special Education confidential records must contain all IEPs	After completion of special services but not sooner than 5 years after completion of activities funded

SURVEYS

Description	Retention Period
Surveys or questionnaires and related records	5 years from date file created
Parent/public surveys	4 years

OTHER STUDENT RECORDS

Description	Retention Period
Student Discipline Records that show action taken for disciplinary measures	5 years after last entry, or 2 years after last attendance
Guidance Folder	5 years after last entry, or 2 years after last attendance
Scholarship Program Record	1 year after award

<i>Employment Certificate record</i>	Until student attains age 21
<i>Honor Society student record</i>	1 year after end of school year
<i>School census record</i>	1 year after end of school year
<i>Student's attendance record</i>	1 year after end of school year
<i>Student absence record</i>	1 year after end of school year
<i>Student attendance exemption record</i>	Until student attains age 21
<i>Student accident and illness</i>	1 year after school year
<i>Student organization records</i>	6 years after date created
<i>Student fine receipts</i>	3 years after close of fiscal year

OTHER INSTRUCTION RECORDS

Description	Retention Period
<i>Teacher's lesson plans</i>	2 years after close of school year
<i>Teacher's class rolls, grade sheets</i>	1 year after end of term
<i>Examination and test answer papers</i>	2 years after close of school year
<i>State required district testing records original to New Mexico Public Education Department</i>	2 years after close of school year
<i>Food Management and Child Nutrition</i>	6 years after submission of final report, 7 years for Title I purposes

OTHER SCHOOL RECORDS

Description	Retention Period
<i>School Administration Files</i>	5 years after close of school year
<i>Calendar of Events file</i>	Until obsolete
<i>Committees, Councils files</i>	5 years after end of school year
<i>Membership report file</i>	Permanent
<i>Emergency and Fire Drill Records</i>	1 year from date file closed
<i>Emergency and Disaster Management</i> Records related to response to a disaster or emergency situation including, but not limited to, communications with responding agencies, details of the activation and all documents or issues relating to or arising from the disaster	5 years from date file closed

OTHER DISTRICT RECORDS

Description	Retention Period
<i>Maintenance Service files</i>	3 years after date of last entry
<i>Work Order files</i>	1 year after completed, paper 2 years
<i>Finance Department official records</i>	2 years for electronic and paper
<i>Principals, Superintendent's Cabinet, Superintendent's Office and Board of Education emails</i>	5 years after last date of entry

<i>All other employee emails</i>	1 year after date of last entry
<i>Meetings</i> Records related to meetings of statutory and policy making bodies including, but not limited to, minutes	Permanent
<i>Policies and Procedures</i> Policies and procedures, including, but not limited to, code of conduct	Permanent
<i>Information Release</i> Records related to requests for release of information, does not include public records request	1 year from date file is closed
<i>Public Records Requests</i> Records related to request for information under the Inspection of Public Records Act including, but not limited to, tracking and response	1 year from date request fulfilled

WORK ORDERS

Description	Retention Period
<i>Administration – building, facilities & infrastructure</i> Records related to work or job orders for repair and maintenance of property	1 year from date file closed



Approved, Chief of Staff

7/17/19

Date Approved

History: *New regulation*

Legal Reference: Title 1, Chapter 21, Part 2 NMAC